

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DARREN ROY MACK,
Petitioner,

vs.

RENEE BAKER,¹ *et al.*,
Respondents.

3:12-cv-00104-RCJ-VPC

ORDER

In this habeas corpus action under 28 U.S.C. § 2254, petitioner has filed an application to proceed *in forma pauperis* (ECF No. 26) and a motion for appointment of counsel (ECF No. 27). Petitioner's application to proceed *in forma pauperis* is incomplete. The application does not include an inmate account statement for the past six months and a properly executed financial certificate signed by an authorized prison or jail officer, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. The *in forma pauperis* application will be denied, without prejudice, on that basis. In addition, the court shall reserve a decision on petitioner's motion for appointment of counsel until it receives a fully completed application to proceed *in forma pauperis*.

Petitioner is granted an opportunity to file a fully completed application to proceed *in forma pauperis* on the correct form, including the financial certificate signed by an authorized prison or jail

¹ Renee Baker is substituted for her predecessor, E.K. McDaniel, as Warden of Ely State Prison. Fed. R. Civ. P. 25(d).

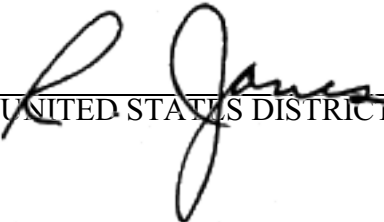
1 officer. The Clerk will be ordered to provide petitioner with the correct form for an application to
2 proceed *in forma pauperis*.

3 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma pauperis*
4 (ECF No. 26) is **DENIED** without prejudice to petitioner filing a new, fully completed application.

5 **IT IS FURTHER ORDERED** that petitioner shall, within **30 days** from the date of entry of
6 this order, file a fully completed application to proceed *in forma pauperis*, on the correct form,
7 including an inmate account statement for the past six months and a properly executed financial
8 certificate signed by an authorized prison or jail officer.

9 **IT IS FURTHER ORDERED** that the Clerk shall **SEND** petitioner a copy of this order and
10 the approved form for an application to proceed *in forma pauperis* and instructions for the same.

11 Dated this 3rd day of December, 2013.

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14 UNITED STATES DISTRICT JUDGE
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